UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,611	01/09/2002	Hiroki Taoka	NAKI-BQ89	7013

21611	7590	06/10/2005

SNELL & WILMER LLP
1920 MAIN STREET
SUITE 1200
IRVINE, CA 92614-7230

EXAMINER
CANGIALOSI, SALVATORE A

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 06/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *16 December 2004*.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-18* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-18* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date *4/18/02*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

1.   The following is a quotation of 35 U.S.C. ₃ 103 which forms

the basis for all obviousness rejections set forth in this Office

action:

> A patent may not be obtained though the invention is not
> identically disclosed or described as set forth in section
> 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that
> the subject matter as a whole would have been obvious at the
> time the invention was made to a person having ordinary
> skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which
> the invention was made.
>
> Subject matter developed by another person, which qualifies
> as prior art only under subsection (f) or (g) of section 102
> of this title, shall not preclude patentability under this
> section where the subject matter and the claimed invention
> were, at the time the invention was made, owned by the same
> person or subject to an obligation of assignment to the same
> person.

2.   Claims 1-18 are rejected under 35 U.S.C. 9 103 as being,

unpatentable over Bahout (5594793) in view of Sedlak (6182217).

Regarding claim 1, Bahout (See abstract, Figs. 1-3, Col. 5,

lines 35-65, claim 3) disclose a means for decryption of content

for external use based on a detected address substantially as

claimed. The differences between the above and the claimed

invention is the use of a judging means. It is noted that it is

believed that comparison prior to decryption is functionally

equivalent to the claimed limitations. Sedlak (See Fig. 1, Col.

4, lines 15-30) show decryption of data dependent on address

calls and including a data bus(Col. 2, line 26). It would have

been obvious to the person having ordinary skill in this art to

provide a similar arrangement for Bahout because address

dependent decryption are conventional functional equivalents with respect to the claim limitations. Regarding external program limitations of claim 2, Ostermann et al(4484025, Fig. 1, claim 1) show the transfer of cipher algorithms(instructions) from external sources is old and well known and that it is a functional equivalent of the claim limitations. Regarding bus limitations of claim 3, Sedlak (See Fig. 1, Col. 4, lines 15-30) show decryption of data dependent on address calls and including a data bus (Col. 2, line 26) that is a functional equivalent of the claim limitations. Regarding address limitations of claim 4, Bahout (See abstract, Figs. 1-3, Col. 5, lines 35-65, claim 3) disclose a means for decryption of content for external use based on a detected address including storage that is a functional equivalent of the claim limitations. Regarding address limitations of claim 5, the encryption of addresses is obvious because of the enhanced security that encryption provides. Regarding key limitations of claim 6, Bahout (See abstract, Figs. 1-3, Col. 5, lines 35-65, claim 3) disclose a means for decryption of content for external use based on a detected address including key variables that is a functional equivalent of the claim limitations because decryption requires keys. Regarding key limitations of claim 7, Bahout (See abstract, Figs. 1-3, Col. 5, lines 35-65, claim 3) disclose a means for decryption of content for external use based on a detected address including key variables that is a functional equivalent

of the claim limitations because decryption requires keys and the
limitations are no more than a standard key generation.
Regarding key limitations of claim 8, Bahout (See abstract, Figs.
1-3, Col. 5, lines 35-65, claim 3) disclose a means for
decryption of content for external use based on a detected
address including key variables that is a functional equivalent
of the claim limitations because decryption requires keys and the
limitations are no more than a standard key generation. Regarding
cpu limitations of claim 9, Bahout (See abstract, Figs. 1-3, Col.
5, lines 35-65, claim 3) disclose a means for decryption of
content for external use based on a detected address including
key variables that is a functional equivalent of the claim
limitations and authentication is an obvious additional security
means. Regarding claim 10, Bahout (See abstract, Figs. 1-3, Col.
5, lines 35-65, claim 3) disclose a means for decryption of
content for external use based on a detected address and
including program storage substantially as claimed. The
differences between the above and the claimed invention is the
use of a judging means. It is noted that it is believed that
comparison prior to decryption is functionally equivalent to the
claimed limitations. It is also noted that the particular
encryption process claimed (i.e. inverse) is no more than
symmetric encryption defined by the old and well known Data
Encryption Standard(DES circa 1978). Sedlak (See Fig. 1, Col. 4,
lines 15-30) show decryption of data dependent on address calls

and including a data bus(Col. 2, line 26) and employing different

keys dependent on memory address. It would have been obvious to

the person having ordinary skill in this art to provide a similar

arrangement for Bahout because address dependent decryption are

conventional functional equivalents with respect to the claim

limitations. Regarding the key limitation of claim 11, Sedlak

(See Fig. 1, Col. 4, lines 15-30) show decryption of data

dependent on address calls and including a data bus(Col. 2, line

26) and employing different keys dependent on memory address that

is a functional equivalent of the claim limitations. Regarding

the key limitations of claim 12, Sedlak (See Fig. 1, Col. 4,

lines 15-30) show decryption of data dependent on address calls

and including a data bus(Col. 2, line 26) and employing different

keys dependent on memory address that is a functional equivalent

of the claim limitations. Regarding the control limitations of

claim 13, Sedlak (See Fig. 1, Col. 4, lines 15-30) show

decryption of data dependent on address calls and including a

data bus(Col. 2, line 26) and employing different keys dependent

on memory address including control that is a functional

equivalent of the claim limitations. Regarding the control

limitations of claim 14, Bahout (See abstract, Figs. 1-3, Col. 5,

lines 35-65, claim 3) disclose a means for decryption of content

for external use based on a detected address and including

program storage that is a functional equivalent of the claim

limitations. Regarding the updating limitations of claim 15,

Bahout (See abstract, Figs. 1-3, Col. 5, lines 35-65, claim 3)
disclose a means for decryption of content for external use based
on a detected address and including program storage which can be
obviously controlled by updating so that the security does not
become stale (See Ostermann et al(4484025, Fig. 1, claim 1)).
Regarding claim 16, Bahout (See abstract, Figs. 1-3, Col. 5,
lines 35-65, claim 3) disclose a means for decryption of content
for external use based on a detected address and including
program storage and cpu substantially as claimed. The differences
between the above and the claimed invention is the use of a key
generator. It is noted that it is believed that comparison prior
to decryption is functionally equivalent to the claimed
limitations. It is also noted that the particular encryption
process claimed (i.e. inverse) is no more than symmetric
encryption defined by the old and well known Data Encryption
Standard (DES circa 1978). Sedlak (See Fig. 1, Col. 4, lines 15-
30) show decryption of data dependent on address calls and
including a data bus (Col. 2, line 26) and employing different
keys dependent on memory address. It would have been obvious to
the person having ordinary skill in this art to provide a similar
arrangement for Bahout because address dependent decryption are
conventional functional equivalents with respect to the claim
limitations. Regarding the key limitations of claim 17, Bahout
(See abstract, Figs. 1-3, Col. 5, lines 35-65, claim 3) disclose
a means for decryption of content for external use based on a

detected address and including program storage which can be obviously include complex key generation so that the security does not become compromised (See Ostermann et al(4484025, Fig. 1, claim 1)) which is a functional equivalent of the claim limitations. Regarding the key limitations of claim 18, Bahout (See abstract, Figs. 1-3, Col. 5, lines 35-65, claim 3) disclose a means for decryption of content for external use based on a detected address and including program storage which can be obviously include complex key generation so that the security does not become compromised (See Ostermann et al(4484025, Fig. 1, claim 1)) which is a functional equivalent of the claim limitations.

Any inquiry concerning this communication should be directed to Salvatore Cangialosi at telephone number **(571) 272-6927**. The examiner can normally be reached 6:30 Am to 5:00 PM, Tuesday through Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached at **(571)272-6712**.

Any response to this action should be mailed to:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Serial Number: 10/042,611   8
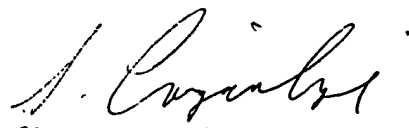
Art Unit: 3621

or faxed to (703)872-9306

Hand delivered responses should be brought to

        United States Patent and Trademark Office
        Customer Service Window
        Randolph Building
        401 Dulany Street
        Alexandria, VA 22314

Any inquiry of a general nature or relating to the status of

this application or proceeding should be directed to the

Technology Center 3600 Customer Service Office whose telephone

number is **(703) 306-5771.**

Information regarding the status of an application may be

obtained from the Patent Application Information Retrieval (PAIR)

system. Status information for published applications may be

obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system,

see http://pair-direct.uspto.gov. Should you have questions on

access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

SALVATORE CANGIALOSI
PRIMARY EXAMINER
ART UNIT 222